

# Kings Langley School



# Complaints Policy

(Guidance and Procedures)

Review April 2016

## **A Policy Title: Complaints Procedure**

Commitment to Equality and Diversity - This school is founded on a set of fundamental values designed to enable all students and adults connected with our community to flourish and succeed, regardless of background or circumstances. We are determined to be open to people, places, methods and ideas—and as such, equality and diversity are at the heart of everything we do. Our continued dedication to social justice and equality of opportunity is embodied in everything we do.

We are creating an inclusive school community where:

- People are treated with dignity and respect
- Inequalities are challenged
- We anticipate, and respond positively to, different needs and circumstances so that everyone can achieve their potential
- We value diversity and we recognise that different people bring different perspectives, ideas, knowledge and culture, and that this difference brings great strength.
- We believe that discrimination or exclusion based on individual characteristics and circumstances, such as age; disability; caring or dependency responsibilities; gender or gender identity; marriage and civil partnership status; political opinion; pregnancy and maternity; race, colour, caste, nationality, ethnic or national origin; religion or belief; sexual orientation; socio-economic background; trade union membership status or other distinctions, represents a waste of talent and a denial of opportunity for self-fulfilment.
- We recognise that patterns of under achievement at any level and differences in outcomes can be challenged through positive intervention activities designed to bridge gaps.
- We respect the rights of individuals, including the right to hold different views and beliefs. We will not allow these differences to be manifested in a way that is hostile or degrading to others.

We expect commitment and involvement from all our staff, students, partners and providers of goods and services in working towards the achievement of our vision.

Kings Langley School is committed to providing a quality service and achieving the highest standards of conduct (and has adopted these commitments as school values). One of the ways in which we can continue to improve the service we offer our community is by listening and responding to the views of our students, parents, staff and others involved with our community. These complaint procedures do not cover: -

- Child protection procedures
- Appeals about admissions
- Appeals to governors' discipline committee against permanent or fixed term exclusion from school
- Staff disciplinary procedures

This complaints policy sets out basic guidelines and principles only. The governors have adapted the Hertfordshire model for dealing with school-based complaints and details of this procedure are available on request from the school (see attachment). This policy should be read in conjunction with the school's behaviour and home-school agreement policies and where appropriate, the school's published Code of Conduct.

The school has a published "Habitual or Vexatious Complainants Policy" and the Headteacher and/or Chair of Governors will consider all aspects of this policy in order to ensure that it is viable, reasonable and beneficial to continue to find a resolution to a complaint which may be submitted.

The school has a separate "Whistle Blowing Policy" that would apply in some circumstances and the school takes seriously all whistleblowing concerns raised. However, it is unlikely that the school will ever respond to an anonymous complaint unless it is referring to an obvious pattern of incidents or behaviours to which there is separate supporting evidence.

### **C Purpose**

This policy aims to outline clearly the procedures that should be followed when dealing with complaints about the service we offer. It is our intention that: -

- Making a complaint is as easy as possible;
- We treat as a complaint any clear expression of dissatisfaction with our school which calls for a response, whether it is made in person, by telephone, by letter, by fax, or by e-mail;
- We treat it seriously and we deal with it promptly, politely and, where appropriate, informally (for example, by telephone);
- We respond in the right way — for example, with an explanation, or an apology where we have got things wrong, or information on any action taken etc;
- If you remain dissatisfied with the manner in which we have responded to your complaint, please formally lodge your complaint in writing and we will then log your concerns as a recordable complaint.
- We learn from complaints, use them to improve our school community, and provide feedback to our community through, for example, newsletters, governors' reports and parents' evenings
- We are unlikely to respond to a complaint made anonymously.

### **D Guidelines**

- Complaints can be made in writing (preferred method), by fax, by e-mail, by telephone or in person (by appointment please). If you are writing, faxing or e-mailing your complaint, please provide your telephone number if a response by telephone would be convenient. If you are e-mailing, please state if a reply by e-mail is acceptable. Alternatively, please provide a full postal address.
- If you know the part of the school, which is relevant to your complaint, or the name or title of an appropriate member of staff, please make your complaint direct to them in the first instance (referring to this complaints procedure would be helpful).
- If you do not have this information, please get in touch with the school's administration team who will be happy to suggest a suitable route for you to pursue your complaint or related query. If you are in any doubt as to whom you should contact or speak to, please ask to speak to a member of the Senior Leadership team at the school or the Headteacher.

### **E Time Limits**

Complaints should be made as soon as possible after the event to which they relate. Generally the school will investigate complaints that are: -

- Made within 6 months of the event; or

- Made within 6 months of the complainant realising that they have cause for complaint, as long as that is no more than 12 months after the event itself

The school has discretion to extend these limits where it would have been unreasonable for the complaint to have been made earlier and where it is still possible to investigate the facts and related evidence. If this discretion is rejected, the complainant may appeal directly to the *Governing Body*.

#### **What happens next?**

- We will aim to reply within 24 hours to your complaint. If a more detailed investigation is required we will reply within 15 working days from when we receive your complaint. If it is not possible to give you a full reply within this time – for instance, because other agencies or groups are involved— we will give you an interim response, telling you what is being done to deal with your complaint, when you can expect the full reply and from whom.
- The reply will include details of who to contact next if you believe that your complaint has not been dealt with properly. This will normally be the Headteacher.
- If, following that second response, you are still not satisfied, you can ask for your complaint to be referred to the Chair of Governors.
- A summary of all recordable complaints will be included in the annual Headteacher's report to governors.

#### **Complaints about related organisations and issues**

- Some of the school's programmes and services are delivered to the students through a range of other organisations. In all cases, the school will act as the first point of contact for pursuing complaints against related organisations or groups.

## Complaints Procedures and Stages

It is in everyone's interest that complaints are resolved at the earliest possible stage and we will always aim to work with parents and others to ensure this is the case. The usual stages of any complaints procedure are outlined below: -

### Informal Stage

- Raise your concerns with a member of staff. They will try to resolve your concern quickly and effectively. The member of staff dealing with your complaint is likely to be a subject teacher, Tutor or Head of Year or the appropriate leader for a subject. Your concerns can be raised in person, by telephone or in writing (usually by email). The details of your complaint will be logged with the Complaints Administrator (who is the Headteacher's Personal Assistant). This Administrator will also log the progress and outcomes of your complaint going forward.
- If you remain dissatisfied, your complaint will be referred to an appropriate member of the Senior Leadership Team, usually a team member with specific responsibility for the area relating to the complaint.
- This member of the SLT will arrange to meet with you at the earliest possible opportunity in order to try and resolve the complaint. This meeting may be delayed for up to 10 working days from the point of referral to enable all reasonable investigative or research work to take place. The investigation will normally involve: -
  1. Interviewing the member of staff who dealt with the complaint and any other colleagues with information relevant to the case.
  2. Interviewing the student. In addition, summary information will also be provided following interviews with other students where this is appropriate.

If you remain dissatisfied with the school's response, the matter will move to Stage One.

### Stage One

- The Headteacher will acknowledge your written complaint within 5 days of the referral. The Headteacher may ask a member of the school's leadership team to carry out additional investigations or to collate further information pertinent to the complaint.
- The Headteacher will review the evidence and provide a written response providing a reasoned judgement on the substance of the complaint. This response will also indicate what the school intends to do to "put things right" should the complaint or part of the complaint be upheld. The complainant has the right to meet with the Headteacher in person in order to discuss all issues related to the judgement. The complainant is welcome to bring a friend or colleague (but not a member of the legal profession) to any meeting(s) which might be arranged. In most circumstances, your complaint will receive a full response within 28 school days.

If you remain dissatisfied with the school's response, the matter will move to Stage Two.

### Stage Two

- Your written complaint, including an additional written statement outlining why you feel the complaint has not been dealt with appropriately, will be passed to the Chair of Governors who will respond in writing within 7 school days of the referral.

- Having considered the evidence carefully, the Chair of Governors will provide a written judgement on the outcome of the complaint. Again, the complainant has the right to meet with the Chair of Governors and Headteacher to discuss all matters relating to the judgement.
- Should the complaint or part of the complaint be upheld, the Chair of Governors will indicate what the school intends to do in order "to put things right".

If your complaint has not been dealt with to your satisfaction, you will need to write to the Chair of Governors indicating that you wish to move to stage 3 (the final stage).

### **Stage Three**

- From referral, the Chair of Governors will acknowledge your complaint within 5 school days and convene a complaints panel hearing within 10 school days. The panel will comprise of 2 school governors (who have no previous or other obvious connection to the case) and an additional independent person not involved in the management and running of the school. This person is likely to be a governor from another maintained school.
- Once the panel has met to consider your complaint, you will receive a response within 5 school days with the panel's judgement on the complaint. The Chair of the panel will ask the complainant to agree a summary of the complaint prepared by the school in order to ensure that the subsequent workings of the panel remain focused and boundary driven. The panel will:
  1. Dismiss the complaint in whole or in part
  2. Uphold the complaint in whole or in part and provide guidance as to what the school can do to "put things right"
  3. Recommend changes to the school's procedures and policies to ensure that problems of a similar nature are avoided in the future.

### **The Format of the Panel Hearing**

#### **The Role of the Chair of the Panel**

The Chair of the panel has a key role in ensuring that

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- The issues are addressed and that proceedings remain focused on the essence of the complaint. The Chair will ensure that material which is irrelevant is not discussed or allowed to distract the panel from the key elements of the complaint
- Key findings of fact are summarised and made clear to all concerned
- Parents and others who may not be used to speaking at such a hearing are put at ease
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- The panel is open minded and acting independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- Each side is given the opportunity to state their case and ask questions
- Written material is seen by all parties and that they have had access to this material at least 5 days before the hearing
- If new issues arise during the hearing, the chair will determine how/whether this will be used. If it is to be considered all parties must have the opportunity to consider and comment on it.

## The format of the hearing

**Stage A:** Introductions of everyone present and clarification of the conduct of the hearing. Panel Chair checks that everyone has a copy of this format.

**Stage B:** Parent presents complaint highlighting points made in their written complaint and other documentation. Panel may question parent to clarify the points they make.

**Stage C:** Headteacher (or member of the Senior Leadership Team (SLT)) presents the facts as they perceive them - highlighting points made in the written response and other documentation. Panel may question Headteacher/SLT Member to clarify the points they make.

**Stage D:** Parents summarise their case highlighting evidence including anything which has emerged in the questioning.

**Stage E:** Headteacher/SLT member summarise the case for the school highlighting evidence including anything which has emerged in the questioning.

**Close:** Panel Chair thanks parents and School for attending and gives an indication of when an outcome judgement will be presented

Parents and school representatives leave the room together. Panel considers all the evidence and comes to its conclusion.

The panel will be convened within 10 days of receiving the written complaint. The outcome of the panel hearing will be communicated to all parties within 10 days.

Parents wishing to escalate a complaint about this Academy which has not been satisfactorily resolved through the stages outlined, will need to write to the Secretary of State at the Department of Education and request that the complaint be passed to the Education Funding Agency.

The contact details for the Secretary of State are as follows: -

The Secretary of State  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT  
Telephone: 0870 000 2288  
Website: [www.education.gov.uk](http://www.education.gov.uk)